

John Hopkins, Ph.D.

37

1 Q Johnson & Johnson always had the
2 ability and knowledge to sell cornstarch instead of
3 talc if it had wanted to, correct?

4 A Well, since the 1960s cornstarch was sold.

5 Q Are you saying that cornstarch was
6 sold by Johnson & Johnson since the '60s?

7 A Yes, '60s or '70s -- maybe it was early
8 '70s.

9 Q I think you told me it was 1980 in our
10 first deposition and we can -- we can look at it.

11 MR. BICKS: Objection to the form of
12 the question.

13 A Yeah, rephrase the question.

14 Q Sure. When did Johnson & Johnson
15 first start marketing and selling cornstarch, sir?

16 A Baby cornstarch powder, cornstarch baby
17 powder?

18 Q Yes.

19 A As opposed to Shower to Shower. I'm not
20 exactly sure, I don't want to speculate, but
21 estimating around the late '70s, I think, but maybe
22 1980.

23 Q Okay. Johnson & Johnson was aware and
24 is aware that cornstarch was used -- used as a body
25 powder in the late 1800s, correct?

John Hopkins, Ph.D.

38

1 A It -- cornstarch has been used in -- in
2 some body powder uses, yes, since the -- turn --
3 turn of the last century.

4 Q Okay. If Johnson & Johnson had wanted
5 to, Johnson & Johnson, throughout the entire 1900s
6 to the present, could have chosen to sell a
7 cornstarch baby powder instead of a talc baby
8 powder, correct?

9 MR. BICKS: Objection. Speculation.
10 Hypothetical.

11 A Yeah, you know, I -- I don't want to
12 speculate on what marketing managers and product
13 development people would've done in the '40s, '50s,
14 '60s. It's speculation. I mean, a product, as you
15 say, quite likely existed and could have been made
16 as a body powder based on cornstarch, but I can't
17 speculate any further.

18 Q Yeah, and I'm not asking you to
19 speculate.

20 Did Johnson & Johnson have the ability, if
21 Johnson & Johnson had chosen to, to sell cornstarch
22 instead of talc for baby powder?

23 MR. BICKS: Objection. Calls for
24 speculation.

25 A Again, it is speculation, because the kind

John Hopkins, Ph.D.

39

1 of quantity we're talking about is -- is quite
2 significant. Cornstarch is a very different product
3 from talc. It has to be sterile and free from germs
4 and bacteria. Producing cornstarch in large
5 quantities, they may've wanted to, but maybe the
6 technology did not exist, so, again, I'm
7 speculating. I don't want to speculate.

8 Q Okay. You -- you are speculating when
9 you say maybe the technology didn't exist, fair?

10 A Yes.

11 Q Okay.

12 A That's why that -- the question you asked
13 is a difficult one to answer without speculation.

14 Q Your -- your concern is could they
15 have done it on as big of a scale as they were
16 selling the talc baby powder, correct?

17 A Well, that was --

18 MR. BICKS: Objection to the form.

19 A That was an issue that I raised. To answer
20 the main question is they could've done it, I don't
21 know if they could've done it.

22 Q Certainly it was a product that was
23 being used by others for baby powder, correct?

24 A In small quantities, I believe so, yes.

25 Q Well, and you don't know about the